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| UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY | |
| Robertson, Anschutz, Schneid, Crane & Partners, PLLC 6409 Congress Ave., Suite 100 Boca Raton, FL 33487 Telephone Number 470-321-7112 Attorneys For Secured Creditor PHH Mortgage Corporation Harold Kaplan, Esq. (HK-0226) | CASE NO.: 18-14656-ABA CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan |
| In Re: Brian A. Tronieri Debtor, Jennifer L. Tronieri, Joint Debtor. | |

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

PHH Mortgage Corporation ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 61), and states as follows:

1. Debtor, Brian A. Tronieri, and Joint Debtor, Jennifer L. Tronieri, ("Debtors"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on March 9, 2018.
2. Secured Creditor holds a security interest in the Debtor's real property located at 13 Heath CT, Sicklerville, NJ 08081, by virtue of a Mortgage recorded on November 10, 2009 in Book 09132, at Page 1554 of the Public Records of Camden County, NJ. Said Mortgage secures a Note in the amount of \$142,373.00.
3. Secured Creditor filed a Motion for Relief from Stay on 1/17/2019. DE 31.
4. Said motion was resolved by Consent order entered 3/1/2019 DE 35.
5. A Certification of Default was filed on 2/14/2020. DE 44
6. A Second Consent Order was entered on 6/16/2020 resolving said Certification of Default. DE50.
7. On 2/12/2021 Secured Creditor filed its second Certification of Default which is still pending disposition by the Court. DE56

8. The Debtor filed a Modified Chapter 13 Plan on March 16, 2021.
9. The Debtors' modified Plan is attempting to capitalize post-petition arrears of over \$12,000.00 into the Plan. Secured creditor has not agreed to this treatment and objects to the debtor's attempt to do an end run around the Court ruling on Secured Creditor's pending Certification of Default and debtor's third default since the filing of this matter.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Robertson, Anschutz, Schneid, Crane & Partners,
PLLC
Attorney for Secured Creditor
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Boca Raton, FL 33487
Telephone Number 470-321-7112

By: /s/Harold Kaplan
Harold Kaplan, Esquire
NJ Bar Number HK-0226
Email: hkaplan@raslg.com

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CERTIFICATION OF SERVICE

1. I, Harold Kaplan, represent PHH Mortgage Corporation in this matter.
2. On April 8, 2021, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

April 8, 2021

Robertson, Anschutz, Schneid, Crane & Partners,
PLLC
Attorney for Secured Creditor
6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone Number 470-321-7112

By: /s/Harold Kaplan
Harold Kaplan, Esquire
NJ Bar Number HK-0226
Email: hkaplan@raslg.com

| <u>Name and Address of Party Served</u> | <u>Relationship of Party to the Case</u> | <u>Mode of Service</u> |
|--------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Andrew Thomas Archer Brenner Spiller & Archer 175 Richey Ave Collingswood, NJ 08107 | Attorney for Debtor | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| Brian A. Tronieri 13 Heath Court Sicklerville, NJ 08081 | Debtor | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| Jennifer L. Tronieri 13 Heath Court Sicklerville, NJ 08081 | Joint Debtor | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| Isabel C. Balboa Chapter 13 Standing Trustee Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002 | Chapter 13 Trustee | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102 | U.S. Trustee | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
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